

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER
COOPERATIVE, INC.,¹

Debtor.

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER
COOPERATIVE, INC., *et al.*,²

Plaintiffs,

Adv. Proc. No. 21-03863 (DRJ)

v.

ELECTRIC RELIABILITY COUNCIL OF
TEXAS, INC., *et al.*,³
Defendants.

**STIPULATION AND AGREED ORDER REMOVING
TALEN ENERGY SUPPLY, LLC FROM THE ADVERSARY PROCEEDING**

WHEREAS, on August 18, 2021, the Debtor filed the *Debtor's Complaint Objecting to ERCOT's Proof of Claim and Other Relief* [Adv. Dkt. No. 1] (the "Complaint") with this Court, commencing the above-captioned adversary proceeding (the "Adversary Proceeding");

WHEREAS, on October 22, 2021, the Court entered the *Order Granting Calpine Corporation, Tenaska Power Services Co., NRG Energy, Inc., ENGIE Energy Marketing NA, Inc.,*

¹ The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor's proposed claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor's address is 7616 Bagby Avenue, Waco, TX 76712.

² The Plaintiff-Intervenors in this Adversary Proceeding are: the Official Committee of Unsecured Creditors, Mid-South Electric Cooperative Association; Denton County Electric Cooperative, Inc., d/b/a CoServ Electric; United Electric Cooperative Services, Inc., d/b/a United Cooperative Services; Tri-County Electric Cooperative, Inc.; Bartlett Electric Cooperative, Inc.; Comanche County Electric Cooperative Association; Cooke County Electric Cooperative Association, Inc. d/b/a PenTex Energy; Hamilton County Electric Cooperative Association; Heart of Texas Electric Cooperative, Inc.; J-A-C Electric Cooperative, Inc.; Navasota Valley Electric Cooperative, Inc.; and Wise Electric Cooperative, Inc.

³ The Defendant-Intervenors in this Adversary Proceeding are: Calpine Corporation; Tenaska Power Services Co.; NRG Energy, Inc.; ENGIE Energy Marketing NA, Inc.; Talen Energy Supply, LLC; Golden Spread Electric Cooperative, Inc.; South Texas Electric Cooperative; and NextEra Energy Marketing, LLC.

Talen Energy Supply, LLC, Golden Spread Electric Cooperative, Inc., South Texas Electric Cooperative, Inc., and NextEra Energy Marketing, LLC's Motion to Intervene [Adv. Dkt. No. 140] (the "Intervention Order"), authorizing certain parties to intervene as defendants in this Adversary Proceeding, including Talen Energy Supply, LLC, on behalf of itself and each of its affiliates, including but not limited to Talen Energy Marketing, LLC (collectively, "Talen");

WHEREAS, on May 9, 2022, Talen filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, commencing the case *In re Talen Energy Supply, LLC*, Case No. 22-90054 (MI) (Bankr. S.D. Tex.) in this Court;

WHEREAS, in furtherance of, and in deference to, its own restructuring efforts, Talen seeks to be dropped from this Adversary Proceeding pursuant to Federal Rule of Bankruptcy Procedure 7021 as a party to this action.

NOW THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED:

1. Pursuant to Federal Rule of Bankruptcy Procedure 7021, Talen is dropped from the Adversary Proceeding and shall no longer be a party or a Defendant Intervenor (as such term is defined in the Intervention Order).
2. The Court retains jurisdiction in connection with this order and all matters related thereto.

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*Counsel for the Ad Hoc Group of Member-Owner
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Certificate of Service

I certify that on June 8, 2022, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Jonathan M. Dunworth

Jonathan M. Dunworth